

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED (I)

2014 MAY 28 P 3:46

U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

In re
City of Detroit,
Debtor

Chapter 9
Case No. 13-53846
Hon.: Steven W. Rhodes

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**MOTION FOR RECONSIDERATION OF
CREDITOR'S MOTION TO PARTICIPATE IN ANY
NEGOTIATIONS AND REQUEST FOR EVIDENTIARY HEARING**

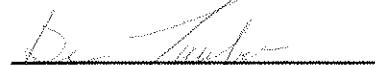
NOW COMES, Creditor Dennis Taubitz in pro per and for his Motion for Reconsideration of Creditor's Motion to Participate in Any Negotiations and Request for Evidentiary Hearing states as follows:

1. Creditor Dennis Taubitz filed a Motion to Participate in any negotiations that Debtor engaged in with some creditors, but not all.
2. Creditor's theory was premised on the legal concept of due process.
3. Creditor received the Court's denial of the Motion to Participate in Any Negotiations by United States mail on May 7, 2014.
4. Debtor claimed that they had satisfied the due process concern by providing necessary notice.
5. Debtor's necessary notice does not notify this Creditor and does not provide Creditor with the ability to participate in the negotiation process.

6. It is this mediation and negotiation process that gave rise to the “Grand Bargain” that is the premise of the Debtor’s now Fourth Amended Plan for the Adjustment of Debts of the City of Detroit.
7. By refusing to allow Creditor to participate, Creditor’s due process right has been infringed.
8. Due process, in the event Debtor and this Court are unaware, consists of more than mere notice.
9. Debtor, in their response, stated in a footnote that an official Committee of Retirees represents the interest of the Creditor. Debtor’s statement is untrue as this Committee only represents those who have consented to be represented. This Creditor has not agreed to be represented by such Committee.
10. Further, Debtor has committed fraud upon the Court when it claims that the telephone number listed on the Motion appears to be an invalid telephone number.
11. The listed telephone number is valid, and the Debtor is well aware of that telephone number and an alternate telephone number should they wish to contact this Creditor.
12. Debtor never attempted to contact this Creditor, and the Debtor’s claim of attempting to do so is fraudulent.
13. Creditor demands an evidentiary hearing to prove that Creditor engaged in fraud regarding a perfectly valid telephone number.

WHEREFORE, based on the foregoing, this Creditor Dennis Taubitz respectfully prays that this Honorable Court grant his Motion for Reconsideration, and allow Creditor to Participate in any negotiations in which Creditor's rights may be impaired, and set a date for the evidentiary hearing.

Respectfully submitted,



Dennis Taubitz
In Pro Per
Creditor
3051 Lindenwood Drive
Dearborn, MI 48120
(313) 632-9150

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**ORDER GRANTING CREDITOR DENNIS TAUBITZ
MOTION FOR RECONSIDERATION**

It is ORDERED AND ADJUDGED, that Creditor Dennis Taubitz Motion For Reconsideration of Creditor's Motion to Participate in Any Negotiations And Request for Evidentiary Hearing hereby **GRANTED**.

It is FURTHER ORDERED AND ADJUDGED, that an evidentiary hearing will be conducted on June , 2014 .

BANKRUPTCY JUDGE
Steven W. Rhodes

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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BRIEF IN SUPPORT

Debtor has committed fraud upon the Court when it claims that the telephone number listed on Creditor's Motion to Participate in Any Negotiations is invalid.

Creditor seeks an evidentiary hearing to determine if the listed telephone number is valid and if Debtor engaged in fraud when claiming to have attempted to contact this Creditor.

Debtor appears not to understand the basic legal concept of due process. This Creditor submits that due process requires a fair hearing. Further, this Creditor submits that being denied access to the negotiations negatively impacts Creditor's ability to receive a fair hearing.

WHEREFORE, based on the foregoing, Creditor Dennis Taubitz respectfully prays that this Honorable Court grant his Motion for Reconsideration and allow Creditor to participate in any negotiations in which Creditor's rights may be impaired, and set a date for the evidentiary hearing.

Respectfully submitted,



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